

## REMARKS

### *Status of the Claims*

Claims 1 and 3-31 are pending with Claims 1, 11, 18 and 25 being independent. Claim 2 has been canceled without prejudice to or disclaimer of the subject matter recited therein. Claims 1, 3-7 and 9 have been amended. Claims 11-31 have been withdrawn from consideration. Support for the claim changes can be found in the original disclosure, and therefore no new matter has been added.

### *Requested Action*

Applicants respectfully request the Examiner to reconsider and withdraw the outstanding rejection in view of the foregoing amendments and the following remarks.

### *Claim Rejections*

Claims 1, 2, and 4-10 are rejected under 35 U.S.C. §103(a) as being unpatentable over Yamauchi (U.S. Patent No. 7,274,884) in view of Narukawa (U.S. Patent No. 5,583,621).

In response, while not conceding the propriety of the rejection, independent Claim 1 has been amended. Applicants submit that as amended, Claim 1 is allowable for the following reasons.

Independent Claim 1 relates to an image forming apparatus operable in a first image formation mode for forming an image on an image bearing member by using developer under a first predetermined image forming condition and a second image formation mode for forming an image on an image bearing member by using developer

under a second image forming condition which is different from the first predetermined image forming condition and is set so that an amount of consumption of developer with respect to an identical image in the second image formation mode is smaller than that in the first image formation mode.

Claim 1 has been amended to recite that the apparatus comprises a storing device configured to store information on an amount of usage of the image bearing member.

Claim 1 has also been amended to recite an image processing controller configured to discriminate a size of a concentrated pixel area in image information when the second image formation mode is set.

Claim 1 has been further amended to recite a controller configured to set the second image forming condition in the second image formation mode depending on a discrimination result of the image processing controller and the information stored in the storing device.

By this arrangement, it is possible to decrease the amount of consumption of a developer while keeping a stable image irrespective of the amount of usage of an image bearing member.

In contrast, the citations to Yamauchi and Narukawa are not understood to disclose or suggest an image processing controller configured to discriminate a size of a concentrated pixel area in image information when the second image formation mode is set, or a controller configured to set the second image forming condition in the second image formation mode depending on a discrimination result of the image processing controller and the information stored in the storing device, as recited by amended Claim 1. Rather, Yamauchi is understood to disclose that image formation is effected in an image

forming apparatus capable of forming an image at a plurality of image forming speeds by using an image forming condition for each of the image forming speeds stored in a memory in the case where image forming conditions for each of the image forming speeds and an amount of usage of a cartridge (photosensitive member) are stored in the memory of the cartridge and the amount of usage reaches a threshold. Narukawa is understood to merely disclose that ON period of an output pulse can be shortened in a toner economization mode in a printing apparatus with a normal toner consumption mode and the toner economization mode.

Since these citations are not understood to disclose or suggest at least two features of amended Claim 1, the Office is not understood to have yet satisfied its burden of proof to establish a prima facie case of obviousness against amended Claim 1. For this reason, Applicants respectfully request that the rejection of Claim 1 be withdrawn.

The dependent claims are also submitted to be patentable, due to their dependency from independent Claim 1, as well as due to additional features that are recited. Individual consideration of the dependent claims is respectfully solicited.

### *Conclusion*

In view of the above amendments and remarks, the application is now in allowable form. Therefore, early passage to issue is respectfully solicited.

Any fee required in connection with this paper should be charged to Deposit Account No. 06-1205.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Gary M. Jacobs/

---

Gary M. Jacobs  
Attorney for Applicants  
Registration No. 28,861

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200  
GMJ/klm

FGHS\_WS 2078237v1